

REMARKS/ARGUMENTS

This paper is in response to the Final Office Action dated June 6, 2005.

Original claims 1, 2, 3, 6, 7, 8, 10, and 11 are canceled.

Claims 4, 5, 9 and 12-25 are pending in the application.

Claims 4, 5, 9, and 12-25 stand rejected due to a defective oath. Specifically, the claims are rejected because the oath does not recite the error upon which reissue request is based. Applicant submits herewith a revised declaration. Exhibit A.

Claim 4 is objected to because "injection position" is repeated. Claim 4 has been amended to delete the repeated text.

The courtesies extended applicants' undersigned attorney during a personal interview on or about May 20, 2005 are appreciatively acknowledged.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2375, under Order No. HO-P02233US0 from which the undersigned is authorized to draw.

Dated: September 15, 2005

Respectfully submitted,

By 

Michael S. McCoy

Registration No.: 46,913

FULBRIGHT & JAWORSKI L.L.P.

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Attorneys for Applicant




Application No.: 90/005,708 ; 09/444,260

Docket No.: HO-P02233US0

CERTIFICATE OF SERVICE

I do hereby certify that a copy of the Response to Final Office Action Dated 06/15/2005, in a manner provided in 37 CFR 1.248, is being deposited with the United States Postal Service on September 15, 2005, addressed to:

Cynthia G. Seal
2925 Briarpark, Suite 930
Houston, Texas 77042



Michael S. McCoy



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SUBSTITUTE REISSUE DECLARATION BY THE INVENTOR

Docket Number (optional)

HO-P02233US0

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and Joint inventor (if plural names are listed below) of the subject matter which is described and claimed

in patent number 5,839,514, granted _____, and for which a

Reissue patent is sought on the invention entitled

**MERGE, RE-EXAMINE AND REISSUE APPLICATION FOR METHOD AND APPARATUS FOR INJECTIONS
COILED TUBING IN WELLS**

The specification of which

☐ is attached hereto.

☒ was filed on January 18, 2000 as reissue application number 09/484,260

and was amended on _____

(if applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described Below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening Reissue, such must be stated with an explanation as to the nature of the broadening:

The original patent claimed less than I had right to claim. To address this error, the claims were broadened by removing the "mast" limitation from claim 4. The mast limitation was not needed to patentably distinguish over the Vita International brochure that was cited in the Supplemental Disclosure Statement filed on May 1, 2000, or any other cited reference.

The original patent also claimed more than I had a right to claim in view of the Vita International brochure. To address this error, original claims 1, 2, and 3 were cancelled and claim 4 was rewritten in independent form with the following limitations:

a frame having a front end and a back end;
opposed bullnose arms mounted to said frame;
a tubing storage spool removably mounted to said bullnose arms, said tubing storage spool
having said coiled tubing stored thereon;
an injector reel rotatably mounted to said frame; and
a drive mechanism attached to said injector reel to rotate said injector reel;
wherein said bullnose arms are vertically adjustable to accept varying tubing storage spool
diameters.

Substitute Reissue Declaration by the Inventor

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Air Mail No. _____ US, in envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: 6/20/05

Signature: _____

(Maria Galloway)

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(SUBSTITUTE REISSUE DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

HO-P02233US0

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)	Registration Number	Name(s)	Registration Number
Melissa W. Acosta	45,872	David L. Fox	40,612
Gino Catena	45,548	Eric B. Hall	46,751
Paul L. DeVerter, II	19,747	Paul E. Krieger	25,886
Marc L. Delflache	28,942	Michael S. McCoy	46,913
		John M. Mings	35,955

Correspondence Address: Direct all communications about the application to:

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Fax (713) 651-5246

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Thomas C. Gibson

Inventor's signature

Date

6/20/05

Residence

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Citizenship

Mailing Address

Uyma, CO 80759

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address



Additional joint inventors are named on separately numbered sheets attached hereto.

BEST AVAILABLE COPY



Atty Docket No.: HO-P02233US0

Reference: 10105685

Inventor: Thomas C. Gipson

Application No.: 90/005,708

Filing Date: April 24, 2000

Title: METHOD AND APPARATUS FOR INJECTIONS COILED TUBING IN WELLS

Documents Filed (2 copies of the following are enclosed):

Transmittal (1 page)

Certificate of Express Mailing (1 page)

Response to Final Office Action Mailed June 15, 2005

Return Receipt Postcard

Via: Express Mail: Airbill No. EV 678 178 208 US

Sender's Initials: MSM:mg

Date: September 15, 2005



Patent & Trademark Department
Fulbright & Jaworski, L.L.P.
1301 McKinney Suite 5100
Houston, Texas 77010-3095

Attn: Docketing Department



Duplicate

PTO/SB/51 (02-01)
Approved for use through 01/31/2004. OMB 0651-0033
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SUBSTITUTE REISSUE DECLARATION BY THE INVENTOR

Docket Number (optional)

HO-P02233US0

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Dated: 6/20/05 Signature: Maria Galloway (Maria Galloway)



(SUBSTITUTE REISSUE DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)

HO-P02233US0

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Gino Catena	45,546	Eric B. Hall	46,751
Paul L. DeVerter, II	19,747	Paul E. Krieger	25,886
Marc L. Delfache	28,942	Michael S. McCoy	46,913
		John M. Mings	35,955

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Full name of sole or first inventor (given name, family name)

Thomas C. Gibson

Inventor's signature

Date

6/20/05

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Citizenship

Mailing Address

Uyma, CO 80759

Full name of second joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address



Additional joint inventors are named on separately numbered sheets attached hereto.